

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES E. ROLLINS, Jr., et al,

Defendants.

Case No. 05-cr-30133-5-DRH

ORDER

HERNDON, District Judge:

Before the Court is defendant Rollins, Jr.'s Motion for Extension of Time to File Motion for New Trial (Doc. 404). Rollins, Jr. requests this additional time in order to more fully investigate and prepare such Motion. Pursuant to **Federal Rule of Criminal Procedure 33(b)(2)**, "any motion for a new trial grounded on any reason other than newly discovered evidence must be filed within 7 days after the verdict or finding of guilty." However, the Court may permit an extension of time under **Federal Rule of Criminal Procedure 45(b)**.

The above-case amounted to a lengthy trial, involving Rollins, Jr. and four other codefendants. Undoubtedly, for counsel to review the record of the trial, in order to identify, research and argue grounds in support of a new trial will likely require more time than the statutory 7 days given under Rule 33(b)(2). While the Motion does not state the Government's position, the Court notes that in a similar

Motion filed by defendant John Frost (Doc. 403), requesting the same relief, the Government did not object. Therefore, for good cause shown, defendant Rollins, Jr.'s Motion (Doc. 404) is **GRANTED**. Defendant Rollins, Jr. shall have until **March 22, 2007** to file his Motion for New Trial.

IT IS SO ORDERED.

Signed this 20th day of February, 2007.

/s/ David RHerndon
United States District Judge